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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,348	10/19/2000	Bruce Leroy Beukema	AUS9-2000-0631-US1	6902

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EXAMINER	
SHIN, KYUNG H	
ART UNIT	**PAPER NUMBER**
2132	

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/692,348	BEUKEMA ET AL.	
	Examiner	Art Unit	
	Kyung H Shin	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 October 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responding to application papers dated 10/19/2000.
2. Claims **1-25** are pending. Claims **1, 10, 12, 13, 22, 24, 25** are **independent** claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (U.S. Patent No. 6,304,973 B1) in view of Frezza et al. (U.S. Patent No. 4,638,356).

Regarding Claims 1, 10, 13, 22, 24, 25, Williams discloses a node, a method in a node and computer program product for managing authorized attempts to access the node or accessing violations, the method comprising:

dropping the packet without a response to the source if the first key does not match the second key; (see col. 22, lines 48-52: *Due to access violation (first key does*

not match second key) packet processing is stopped and no indication is returned to the source.)

storing information from the packet; (see col. 17, lines 19-27: *During audit processing, information from the packet is stored.*)

sending the information to a selected recipient in response to a selected event. (see col. 5, lines 39-41; col. 17, lines 19-27: *All Network accesses are monitored and selected event are audited. During the audit process a selected recipient is sent information concerning the audited event.*)

Williams discloses receiving a packet from a source and verifies an authorized IP address (see col. 22, lines 48-52), but does not explicitly teach an authentication process with a node key in packet. However, Frezza discloses in "Apparatus and Method for restricting access to a Communication Network", an authentication process that involves restricting access to a network with a node key, whereby the key is stored in the header of network packet. (see Frezza, col. 6, lines 37-44)

The key is used to determine whether they are valid to access to a network (e.g. frame verifier, FV, codes), then if the items match authentication is successful. (see Frezza, col. 2, lines 40-51) It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Williams with a packet contains a key to determine whether they are valid as taught in Frezza. One would have been motivated to include a node key that is transmitted within the network packet as in Frezza in order to have the strengthened authentication process by restricting access to unauthorized attempts on the network.

Regarding Claims 2, 14, Williams discloses the method of claim 1 and 13, wherein the selected event is a request from the recipient for the information. (see col. 5, lines 51-55; col. 18, lines 11-19: *Access violations, security related events, are reported to Network Security Controller (NSC) and are transmitted to audit process which is designated as a recipient.)*

Regarding Claims 3, 15, Williams discloses the method of claim 1 and 13, wherein the selected event is an occurrence of a trap. (see col. 17, lines 19-27: *The occurrence of a trap, which is designated an interrupt on Page 23 of specification, initiates audit process. Exception events are audited)*

Regarding Claims 4, 16, Williams discloses the method of claim 1 and 13, wherein the selected event is a periodic event. (see col. 17, lines 19-27: *Audit process tracks events occurring at a periodic interval such as an exception event.)*

Regarding Claims 5, 17, Williams discloses the method of claim 1 and 13 further comprising incrementing a counter source if the first key does not match the second key. (see col. 18, lines 23-27; col. 17, lines 19-27: *Access violations are treated as statistical events which are counted and also audited.)*

Regarding Claims 6, 18, Williams discloses the method of claim 1 and 13, wherein the selected event occurs when the counter exceeds a threshold value. (see col. 18, lines

23-27; col. 17, lines 19-27: *Access violations are treated as statistical events which are counted and also audited.)*

Regarding Claims 7, 19, Williams discloses the method of claim 1 and 13, wherein the key is a partition key. (see col. 27, lines 38-47: *Alternate embodiment modifies NSC to retrieve access key for a node from a principal such as a subnet manager. Subnet manager is a SAN device used to configure and manage devices. The partition key is transmitted from the subnet manager to the manager software for inclusion in the authentication process.)*

Regarding Claims 8, 11, 20, 23, Williams discloses the method of claim 1, 10, 13 and 22, wherein the information includes at least one of a source local identifier, a destination local identifier, the key value, a global identifier address. (see col. 17, lines 19-27: " *... detailed information about the individual packets transmitted and received ...* " *Key value information in network packets is audited. The subnet manager transmits an identifier (source local, destination local, global identifier address) or a key value to the manager software for inclusion in the authentication process.)*

Regarding Claims 9, 21, Williams discloses the method of claim 1 and 13, wherein the selected recipient is a subnet manager. (see col. 17, lines 19-27; col. 27, lines 38-47: *Alternate embodiment modifies NSC to send audit information concerning access violations to principal such as a subnet manager. The network manager transmits the required information to the subnet manager controlling the SAN.)*

Regarding Claim 12, Williams discloses a data processing system comprising:

a) a bus system; a channel adapter unit connected to a system area network fabric; memory includes as set of instructions; (see col. 18, lines 44-50)

b) a processing unit connected to the bus system, wherein the processing unit executes the set of instructions,

receive a packet from a source, wherein the packet includes a first key; determine whether the first key matches a second key for the node drop the packet; without a response to the source if the first key does not match the second key; store information from the packet ; and send the information to a selected recipient in response to a selected event. (These limitations encompass the same scope of the invention as that of the claim 1. a - e, therefore these limitations are rejected for the same reason as the claim 1. a - e.)

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is 703-305-0711. The examiner can normally be reached on 6:30 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KHS

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Patent Examiner
Art Unit 2132

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May 5, 2004

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